

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VERLIN J. ALEXANDER)
Petitioner,)
v.) Civ.Act.No. 07-01-JFF
RALPH WILLIAMS, Warden)
and JOSEPH R. BIDEN III, Attorney)
General for the State of Delaware)
Respondents.)

**MOTION FOR EXTENSION OF TIME TO FILE
SUPPLEMENTAL ANSWER**

1. The petitioner, Verlin Alexander, has applied for federal habeas relief, seeking pretrial dismissal of pending state court criminal charges. D.I. 1, at 5. The undersigned filed an answer to the petition on May 7, 2007. D.I. 10. The undersigned filed certified state court documents relating to Alexander's petition on October 11, 2007. *See* D.I. 25. Those documents revealed that on September 25, 2007, Alexander pled guilty to one count of third degree rape. *See* Docket Item 57 in Delaware Superior Court Criminal Action No. 0511011555. In light of Alexander's guilty plea, respondents requested leave to file a supplemental answer. *See* D.I. 26.

2. The undersigned has completed the supplemental answer to Alexander's petition for a writ of habeas corpus. However, due to Department of Justice procedure, the Chief of the Appeals Division must review all filings before they are submitted. Unfortunately, several personal matters have kept the Chief of the Appeals Division out

of the office for a majority of the past week and a half. Counsel now anticipates that review of the supplemental answer should be completed by November 8, 2007.

3. This is respondents' first request for an extension to file the supplemental answer.

4. Respondents submit that an extension of time to November 8, 2007 in which to file the supplemental answer in this case is reasonable. Respondents submit herewith a proposed order.

/s/ Kevin M. Carroll
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500
Del. Bar. ID No. 4836

DATE: October 31, 2007

RULE 7.1.1 CERTIFICATION

I hereby certify that I have neither sought nor obtained the consent of the petitioner, who is incarcerated and appearing *pro se*, to the subject matter of this motion.

/s/ Kevin M. Carroll
Deputy Attorney General

Date: October 31, 2007

Counsel for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2007, I electronically filed the attached documents with the Clerk of Court using CM/ECF. I also hereby certify that on October 31, 2007, I have mailed by United States Postal Service, the same documents to the following non-registered participant:

Verlin Alexander
No. 098778
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

/s/Kevin M. Carroll
Deputy Attorney General
Department of Justice
820 N. French Street
Wilmington, DE 19801
(302) 577-8500
Del. Bar. ID No. 4836
Kevin.Carroll@state.de.us

Date: October 31, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

VERLIN J. ALEXANDER)
Petitioner,)
v.) Civ.Act.No. 07-01-JFF
RALPH WILLIAMS, Warden)
and JOSEPH R. BIDEN III, Attorney)
General for the State of Delaware)
Respondents.)

ORDER

This _____ day of _____, 2007,

WHEREAS, respondents having requested an extension of time in which to file the supplemental answer, and,

WHEREAS, it appearing to the Court that the requested extension is timely made and good cause has been shown for the extension,

IT IS HEREBY ORDERED that certified state court records related to this matter shall be filed on or before November 8, 2007.

United States District Judge